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Fresno, California

January 23, 2003

The City Council met in special session at the hour of 5:30 p.m. in the Council Chambers, City Hall, on the day above written.

Present:	Brad Castillo	Acting President
	Mike Dages	Councilmember
	Jerry Duncan	Councilmember
	Henry Perea	Councilmember
	Cynthia Sterling	Councilmember
	Tom Boyajian	Council President

Absent:	Brian Calhoun	Councilmember
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Dan Hobbs, City Manager
Hilda Cantu Montoy, City Attorney
Becky Klisch, City Clerk
Yolanda Salazar, Assistant City Clerk

President Boyajian advised Councilmember Calhoun was a State Center Community College educator and was unable to attend the special meeting due to his teaching commitment.

(5:30 P.M.) SPECIAL MEETING - ARCHIE CRIPPEN EXCAVATION FIRE

(A) RESOLUTION NO. 2003-19 - CONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY RELATING TO THE FIRE BURNING AT ARCHIE CRIPPEN EXCAVATION IN THE VICINITY OF MARKS AND NEILSEN AVENUES

(B) TOWN HALL MEETING ON THE FIRE

City Manager Hobbs advised the special City Council meeting was scheduled to extend the seven day proclamation declaring a local emergency for another fourteen days, and gave a brief overview of his authority in issuing the original proclamation and what the proclamation would provide for.

On motion of Councilmember Sterling, seconded by Acting President Castillo, duly carried, RESOLVED, the above entitled Resolution No. 2003-19 hereby adopted, by the following vote:

Ayes	:	Castillo, Dages, Duncan, Perea, Sterling, Boyajian
Noes	:	None
Absent	:	Calhoun

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ADJOURNMENT

There being no further business to bring before the Council, the hour of 5:34 p.m. having arrived and hearing no objection, President Boyajian declared the special meeting adjourned.

APPROVED on the 28th day of January, 2003.

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Tom Boyajian, Council President	ATTEST: Yolanda Salazar, Assistant City Clerk

* ATTACHMENT: Town Hall Meeting minutes.

**TOWN HALL MEETING
JANUARY 23, 2003
5:30 p.m**

**ARCHIE CRIPPEN EXCAVATION FIRE
AT
MARKS AND NEILSEN AVENUES**

A Town Hall Meeting was held on the day above written in the Council Chambers, City Hall. Officials presiding were: District 3 Councilmember/Chair Cynthia Sterling, City Manager Dan Hobbs, Planning and Development Director Nick Yovino, Code Enforcement Manager Ray Villa, Acting Fire Chief Joel Aranaz, Acting County Health Officer Dr. Kenneth Berg, EPA Representative Michelle Rogow, State Office of Emergency Services (OES) representative Curt Lattipow, and City Attorney Hilda Cantu Montoy. Other associated staff members from the various agencies were also in attendance to answer questions.

Chair Sterling, City Manager Hobbs and Mayor Autry (speaking via teleconference call from Washington, D.C.) gave opening remarks and spoke to and/or explained the following issues: why the forum was scheduled, the formation of a Task Force co-chaired by Councilmember Sterling and Deputy Mayor Roger Montero and their charge, the importance of receiving input from the community, the high level and successful intergovernmental cooperation that has taken place, the importance of citizens' health, actions taken by the City of Fresno, the fire to be thoroughly investigated and swiftly acted upon, background of the Crippen business and Conditional Use Permit (CUP), prior citizen complaint including the investigation and findings, specifics of the fire and actions taken by the various agencies and findings (all as contained in the City of Fresno Advisory as submitted, a copy of which is on file in the office of the City Clerk), further specifics of the Crippen CUP including lack of restrictions on the length, width or height of piles, materials spacing and fire lanes, which restrictions/regulations Mr. Hobbs noted are all now in City requirements, and on the inspection/complaint process.

Assemblywoman Sarah Reyes thanked all involved; stated this was a state problem as well as these types of facilities were not required to have permits to operate therefor the state had no jurisdiction on inspection or oversight; noted she contacted the California State Integrated Waste Management Board and advised she would be introducing legislation that would (1) require all construction and debris processing facilities to obtain a full solid waste facilities permit no matter the size, and (2) assist all existing non-permitted operators to obtain a permit to insure fires like this do not happen again; and spoke briefly to clean-up costs, areas these types of facilities are generally located in, and the need to control these types of situations.

Acting Fire Chief Aranaz, California Department of Forestry/Fire Protection Division Chief Doug Hicks, EPA representative Rogow, OES On-Scene Coordinator Lattipow, and County Health Officer Berg each gave a brief overview of actions taken by their respective agencies, their charges, goals and/or findings, with Mr. Hicks displaying aerial photographs of the fire on the overhead to illustrate.

Public testimony was opened. Speaking to the issue and presenting questions/expressing various concerns including, but not limited to, health issues, water contamination, added financial medical expenses and who would be responsible for those costs, and testing of domestic water wells were: Rey Leon, 550 E. Shaw, Suite 240; Mary Ochoa, 1829 W. Oleander, who displayed a bag of dust/soot collected from her home; Dr. David Pepper, 1301 N. Van Ness, who commended all the agencies involved for a job well done and gave a “message of hope” **(2 - 0)**; Lupe Avila, 148 S. Hughes; Mary Taylor, 8440 N. Millbrook, who spoke to a product that could be used on the fire that was less costly, safe and used less water; Rudy Recendez, 3304 W. Dudley; and Harlan Kelly, 3378 W. Kearney Blvd., who spoke to other similar-type businesses in the area and complaints. Dr. Berg, County Assistant Director of Community Health Brad Maggi, Ms. Rogow, Water Division staff member Lon Martin, Chief Aranaz, Chair Sterling, Mr. Hicks, County Environmental Health Director Tim Casagrande, and Mr. Hobbs responded to speakers’ questions.

City Attorney Montoy advised there was actual, ongoing litigation on the Dan Green Recycling matter, and spoke to the City prevailing, the court’s order, Mr. Green’s appeal to the Fifth District Court of Appeal, the Appeal Court siding with Mr. Green and remanding the case to the Superior Court, and the Superior Court’s new order against Mr. Green and the order now being on appeal.

Continued speakers speaking to the issue and/or expressing various concerns including, but not limited to, other areas that need to be checked, long term health affects, the need to respect West Fresno, politics, CNG buses and other pollutants, request for improved bus service on key lines, need for FAX monies to stay with FAX, and ignorance on the dangers of smoke and need for educational campaigns were: Danny Martinez, Sr., 1201 S. Third/637 N. Lafayette; Rev. Floyd Harris, Jr., Southwest Fresno Neighborhood Watch Chair, 1630 W. Kearney Blvd.; Alheli Banos, U.S. EPA Community Involvement Coordinator; Gloria Torrez; and Kevin Hall, 1204 E. Sierra Madre, Sierra Club Tehipite Chapter.

Chair Sterling thanked all in attendance for their interest and input; stressed there would be a continuous effort of all agencies to insure that proper information is released, and stated the Task Force would get the minutes of the meeting and address concerns.

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ADJOURNMENT

There being no further business and the hour of 7:20 p.m. having arrived and hearing no objection, Chair Sterling declared the meeting adjourned.

Respectfully submitted this 24th day of January, 2003.

Yolanda Salazar, Assistant City Clerk

